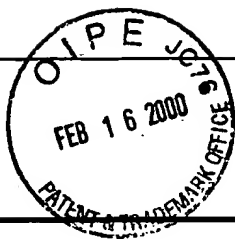


02-17-00

GAU- 3761 # Rk  
2/23/00

## CONTINUED PROSECUTION APPLICATION (CPA) REQUEST TRANSMITTAL

Submit an original and a duplicate for fee processing  
(Only for Continuation or Divisional applications under 37 C.F.R. 1.53(d))

#41

Address to: Assistant Commissioner for Patents  
Box CPA  
Washington, D.C. 20231

Our Docket No.:  
C348.12-0013

Date: February 16, 2000

First Named Inventor: Bruce C. Johnson

Express Mail No.: EL 324 059 817 US

This is a request for a ☒ continuation or ☐ divisional application under 37 C.F.R. 1.53(d) of prior application number 08/874,781, filed on June 13, 1997, entitled: NASAL DILATOR

### NOTES

**FILING QUALIFICATIONS:** The prior application identified above must be a nonprovisional application that is either: (1) complete as defined by 37 C.F.R. 1.51(b), or (2) the national stage of an international application in compliance with 35 U.S.C. 371.

**C-I-P NOT PERMITTED:** A continuation-in-part application cannot be filed as a CPA under 37 C.F.R. 1.53(d), but must be filed under 37 C.F.R. 1.53(b).

**EXPRESS ABANDONMENT OF PRIOR APPLICATION:** The filing of this CPA is a request to expressly abandon the prior application as of the filing date of the request for a CPA. 37 C.F.R. 1.53(b) must be used to file a continuation, divisional, or continuation-in-part of an application that is not to be abandoned.

**ACCESS TO PRIOR APPLICATION:** The filing of this CPA will be construed to include a waiver of confidentiality by the applicant under 35 U.S.C. 122 to the extent that any member of the public who is entitled under the provisions of 37 C.F.R. 1.14 to access to, copies of, or information concerning, the prior application may be given similar access to, copies of, or similar information concerning, the other application or applications in the file jacket.

**35 U.S.C. 120 STATEMENT:** In a CPA, no reference to the prior application is needed in the first sentence of the specification and none should be submitted. If a sentence referencing the prior application is submitted, it will not be entered. A request for a CPA is the specific reference required by 35 U.S.C. 120 and to every application assigned the application number identified in such request, 37 C.F.R. 1.78(a).

1. ☒ Enter the unentered amendment previously filed on under 37 C.F.R. 1.116 in the prior nonprovisional application.
2. ☐ A preliminary amendment is enclosed.
3. ☐ This application is filed by fewer than all the inventors named in the prior application, 37 C.F.R. 1.53(d)(4).
  - a. ☐ **DELETE** the following inventor(s) named in the prior nonprovisional application:
  - b. ☐ The inventor(s) to be deleted are set forth on a separate sheet attached hereto.
4. ☐ A new power of attorney or authorization of agent is enclosed.
5. ☐ Information Disclosure Statement (IDS) is enclosed:
  - a. ☐ PTO-1449
  - b. ☐ Copies of Citations, as necessary

02/18/2000 DUONG 00000083 08874781

01 FC:231  
02 FC:202  
03 FC:203

345.00 OP  
234.00 OP  
126.00 OP

TECHNOLOGY CENTER 370

FEB 18 2000

RECEIVED

6. Small entity status:

- a. ☐ A small entity statement is enclosed.  
b. ☒ A small entity statement was filed in the prior nonprovisional application and such status is still proper and desired.  
c. ☐ Is no longer claimed.

CLAIMS	(1) FOR	(2) NUMBER FILED	(3) NUMBER EXTRA	(4) RATE	(5) CALCULATIONS
	TOTAL CLAIMS	34 - 20 =	14	x \$ 18 =	\$ 252.00
	INDEPENDENT CLAIMS	9 - 3 =	6	x \$ 78 =	468.00
	MULTIPLE DEPENDENT CLAIMS (if applicable)			+ \$260 =	
				BASIC FEE	\$ 690.00
				TOTAL OF ABOVE CALCULATIONS	\$1410.00
	REDUCTION BY 50% FOR SMALL ENTITY				\$ 705.00
	TOTAL				\$ 705.00

7. The Commissioner is hereby authorized to charge payment of any patent application processing or filing fees under 37 C.F.R. 1.16 and 1.17 or credit overpayments to Deposit Account No. 11-0982.

8. ☒ A check in the amount of \$705.00 is enclosed.

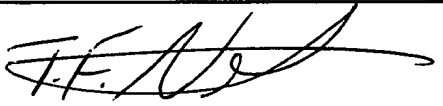
9. ☐ A petition and fee or conditional petition to extend time is attached.

10. ☒ Return receipt postcard (*Should be specifically itemized*).

11. ☐ Other:

12. ☐ New Correspondence Address

13. Signature of Applicant, Attorney, or Agent

Atty Name and Reg. No.	Theodore F. Neils, Reg. No. 26,316  Signature: 
Address	Kinney & Lange, P.A. THE KINNEY & LANGE BUILDING 312 South Third Street Minneapolis, MN 55415-1002
Telephone	(612) 339-1863
Fax	(612) 339-6580